

PETITION FOR ANNEXATION

THE UNDERSIGNED (hereinafter referred to as the "Petitioners") hereby petition the Council of the City of Fort Collins, Colorado for the annexation of an area, to be referred to as the ONE TWENTY EIGHT RACQUETTE DRIVE Annexation to the City of Fort Collins. Said area, consisting of approximately Zero and Eight Tenths (0.8) acres, is more particularly described on Attachment "A," attached hereto.

The Petitioners allege:

1. That it is desirable and necessary that such area be annexed to the City of Fort Collins.
2. That the requirements of Sections 31-12-104 and 31-12-108, C.R.S., exist or have been met.
3. That not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the boundaries of the City of Fort Collins.
4. That a community of interest exists between the area proposed to be annexed and the City of Fort Collins.
5. That the area to be annexed is urban or will be urbanized in the near future.
6. That the area proposed to be annexed is integrated with or capable of being integrated with the City of Fort Collins.
7. That the Petitioners herein comprise more than fifty percent (50%) of the landowners in the area and own more than fifty percent (50%) of the area to be annexed, excluding public streets, alleys and lands owned by the City of Fort Collins.
8. That the City of Fort Collins shall not be required to assume any obligations respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets or any other services or utilities in connection with the property proposed to be annexed except as may be provided by the ordinance of the City of Fort Collins.

Further, as an express condition of annexation, Petitioners consent to the inclusion into the Municipal Subdistrict, Northern Colorado Water Conservancy District (the "Subdistrict") pursuant to §37-45-136(3.6) C.R.S.; Petitioners acknowledge that, upon inclusion into the Subdistrict, Petitioners' property will be subject to the same mill levies and special assessments as are levied or will be levied on other similarly situated property in the Subdistrict at the time of inclusion of Petitioners' lands. Petitioners agree to waive any right to an election which may exist pursuant to Article X, §20 of the Colorado Constitution before the Subdistrict can impose such mill levies and special assessments as it has the authority to impose. Petitioners also agree to waive, upon inclusion, any right which may exist to a refund pursuant to Article X, §20 of the Colorado Constitution.

WHEREFORE, said Petitioners request that the Council of the City of Fort Collins approve the annexation of the area described on Attachment "A." Furthermore, the Petitioners request that said area be placed in the Industrial Zone District pursuant to the Land Use Code of the City of Fort Collins.


(Check box if applicable). The Petitioners reserve the right to withdraw this petition and their signatures therefrom at any time prior to the commencement of the roll call of the City Council for the vote upon the second reading of the annexation ordinance.

Individual Petitioners signing this Petition represent that they own the portion(s) of the area described on Attachment "A" as more particularly described below:

A tract of land situate in the County of Larimer, State of Colorado, to-wit:

See Legal Description on Attachment 'A'.

IN WITNESS WHEREOF, I/we have executed this Petition for Annexation this 30th day of May, 2019.



Petitioner's/Owner's Signature
by: Ric Hansen member/manager
Racquette Hanger LLC
128 Racquette Drive

Address

Petitioner's/Owner's Signature

Address

Fort Collins CO 80524

City State Zip

City State Zip

ATTACHMENT "A"

LEGAL DESCRIPTION OF THE ANNEXATION

A tract of land situate in the County of Larimer, State of Colorado, to-wit:

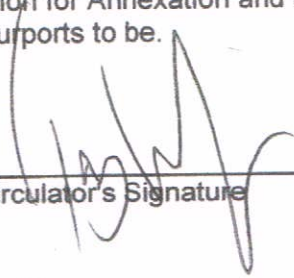
Lots 99 and 100, Second Replat of the Fort Collins
Industrial Park, County of Larimer, State of
Colorado

ATTACHMENT "B"

STATE OF COLORADO)
)ss.
COUNTY OF LARIMER)

The undersigned, being first duly sworn upon his oath states:

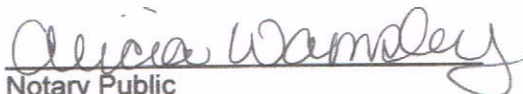
That he was the circulator of the attached Petition for Annexation and that each signature therein is the signature of the person whose name it purports to be.

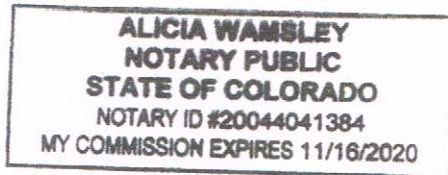

Circulator's Signature

Subscribed and sworn to before me this 13th day of may, 2019.
by Tray W Jones.

WITNESS my hand and official seal.

11/16/2020
Commission Expiration


Notary Public

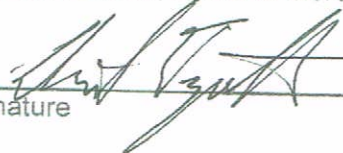


ATTACHMENT "C"

ATTORNEY CERTIFICATION

I, David Wyatt, an attorney licensed to practice in the State of Colorado, hereby certify that, as of the date of this certificate, the signers of this Annexation Petition for the area referred to as the 128 Racquette Drive Annexation Annexation to the City of Fort Collins are the owners of real property in the area proposed for annexation. Furthermore, I certify that said owners constitute more than 50% of the landowners in the area proposed for annexation, as said area is described on Attachment "A" of said Annexation Petition, and own more than 50% of the land in said area, exclusive of streets and alleys.

5-17-2019
Date


Signature

34223
Attorney Reg. No.

Attachment "D"
128 Racquette Drive Annexation Narrative

Submittal Requirement 4(g). A statement as to why it is necessary and desirable for the City of Fort Collins to annex the area:

The property owner wishes to change the use of the property to accommodate a specific tenant, which in turn requires site approval. The site plan approval that would be necessary would include the site of this building (currently in the county), and an adjacent vacant parcel (already in the city). It has been suggested by both city and county staff that such a site plan approval would be necessary under a single jurisdiction, and thus would need to be annexed into the city, and the request for site plan approval would need to be processed under the city's jurisdiction.

The desired use to be added to the existing uses on the property will be a cheerleading training academy, which would be considered in the Fort Collins Land Use Code as "Public and private schools, including colleges, universities, vocational and technical training", and which is a primary permitted use in the E District subject to administrative (Type 1) review.

Submittal Requirement 4(h). A description of the zoning classification being requested and any conditions requested for that zone district classification:

The applicant is requesting a zone district classification of E-Employment, in accordance with the Structure Plan. There are no conditions requested at this time.

Submittal Requirement 4(i). A statement of consistency of the requested zoning to the Structure Plan:

The designated zoning for the property within the Structure Plan is *Industrial*.